

Recorded in
open Court at
3:35 p.m.
on -

6-30-08

Mary H. Johnson
Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NUMBER 05-10859-RGS

HELEN RUNGE

v.

WALTER KELLY

SPECIAL QUESTIONS TO THE JURY

June 30, 2008

STEARNS, D.J.

Q.1. In discharging his duties to his client Helen Runge, did Walter Kelly fail to exercise the care and skill of the average qualified attorney practicing elder law in 2003?

A.1. Yes _____
No ✓

If your answer to Q.1 is "No," proceed to Q.3. If your answer to Q.1. is "Yes," please answer Q.2.

Q.2. Was the failure of Walter Kelly to exercise the appropriate level of care and skill a substantial cause of injury to Helen Runge?

A.2. Yes _____
No _____

Please answer Q.3.

Q.3. Did Walter Kelly by means of extreme and outrageous conduct cause Helen Runge to suffer emotional distress?

A.3. Yes _____
No ✓

If the answer is "Yes," please proceed to Q.5. If the answer is "No," please answer

Q.4.

Q.4. Did Walter Kelly negligently cause Helen Runge to suffer emotional distress?

A.4. Yes _____
No V

Please answer Q.5.

Q.5. Did Walter Kelly cause Helen Runge to be falsely imprisoned at the Sunbridge Nursing Home on April 29-30, 2003?

A.5. Yes _____
No V

If the answer to Q.2, Q.3, Q.4 and/or Q.5 is "Yes," please answer Q.6. If all answers are "No," you have reached a verdict.

Q.6. What amount of money do you find to be fair and reasonable compensation to Helen Runge for any damages caused by Walter Kelly?

A.6. _____
(Dollar Amount in Words)

(Figures)

Please answer Q.7. (The answer to question 7 is not to be factored in your determination of any damages award).

Q.7. Did Walter Kelly engage in unfair and deceptive conduct in his dealings with Helen Runge while acting as her attorney?

A.7. Yes _____
No V

I certify that the foregoing answers are the unanimous verdict of the jury.



A handwritten signature in black ink, appearing to read "Foreperson".

Foreperson

Dated: 6/30/08